

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 9557 of 2007(K)

PETITIONER:

R.K.KRISHNAN NAIR,
S/O. RAMAKRISHNA PILLA, AGED 69, PAMMAMKOTTU VEEDU,
PUTHUKULANGARA P.O., PIN - 695 541.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS:

1. D.Y.S.P. NEDUMANGAD, ARYANAD,
THIRUVANANTHAPURAM.
2. CIRCLE INSPECTOR OF POLICE, ARYANAD,
THIRUVANANTHAPURAM.
3. SUB INSPECTOR OF POLICE, ARYANAD,
THIRUVANANTHAPURAM.
4. VELAYUDHAN NAIR, S/O. APPUKUTTAN PILLA
AGE 45, PAMMAMKOTTUKONATH THEKUMKARA PUTHEN
VEEDU, PUTHUKULANGARA P.O., PIN - 695 541.
5. SIVARAMAN NAIR, S/O. GOPALAPILLA,
AGE 48, PAMMAMKOTTUKONATHU VEEDU, PUTHUKULANGARAMURI,
UZHAMALAYKAL VILLAGE, PUTHUKULANGARA P.O.,
THIRUVANANTHAPURAM.
6. RAVIKUMAR, S/O. GOPALAPILLA,
AGED 45, PAMMAMKOTTU THOTTARIKATHU VEEDU,
PUTHUKULANGARA P.O., THIRUVANANTHAPURAM.
7. SUDHAKARAN NAIR, AGE 49,
PAMMAMKOTTU THAZHATHU VEEDU, PUTHUKULANGARA P.O.
THIRUVANANTHAPURAM.

BY ADV. SRI.RAM MOHAN.G. (FOR R4-7)
SRI.G.P.SHINOD
SRI.MANU V.
GOVT. PLEADER, SRI.SALIM.P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE TAX RECEIPT.

EXT. P2: COPY OF THE FIR IN CRIME NO.83 OF 2007 OF ARYANAD POLICE
STATION.

/TRUE COPY/

P.A. TO JUDGE

JP

K.BALAKRISHNAN NAIR &

HARUN-UL-RASHID, JJ.

W.P.(C) NO. 9557 OF 2007-K

Dated 18th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking the following relief:

“(a) to issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents 1 to 3 to accord adequate protection to the life of the petitioner and his properties in Re-survey No.2765/1, 2252/3 and 2747/1/2 in Uzhamalayakal village and to take all appropriate steps to prevent the criminal actions committed and threatened by respondents 4 to 7.”

2. This Court has already passed an interim order in favour of the petitioner on 21.3.2007. The learned counsel appearing for respondents 4 to 7 submitted that there is dispute between the said respondents and the petitioner regarding a pathway. The petitioner denies the said allegation. The learned counsel for the party respondents also submitted that the party respondents have no intention whatsoever to harm the petitioner physically.

3. If there is any threat to the life of the petitioner or his family

members, the petitioner may move respondents 2 and 3. In that event the said respondents shall enquire into the same and if the threat is found to be genuine, render adequate protection to them. If anybody is encroaching into the petitioner's property unlawfully and causing damage or committing waste, he may move the competent civil court or the criminal court, as the case may be and seek appropriate reliefs.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

HARUN-UL-RASHID, JUDGE.

Nm/